

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

DIVISION 80, LLC,

Plaintiff,

v.

MERRICK GARLAND, in his official  
capacity as Attorney General of the United  
States, *et al.*,

Defendants.

Case No. 3:22-cv-00148

District Judge Jeffrey V. Brown

**JOINT SCHEDULING PROPOSAL**

Counsel for the Parties respectfully propose the following schedule to the Court as the best way to move this matter to a resolution on the merits.

The Parties propose that Defendants' deadline to file an Answer in this case, which is currently due on or before September 22, 2022, in accordance with this Court's July 12, 2022 Order, ECF No. 36, be reset for December 2, 2022.

The Parties propose that the Court adopt the following deadlines:

**Deadline**

**Date**

Defendants File Administrative Record

October 14, 2022

Plaintiff's Motion for Summary Judgment

February 10, 2023

Defendants' Cross-Motion for Summary Judgment  
and Opposition to Plaintiff's Motion

March 10, 2023

Plaintiff's Reply in Support of Its Motion and Opposition  
to Defendants' Cross-Motion

April 7, 2023

Defendants' Reply in Support of Cross-Motion

May 5, 2023

The Parties recognize that this proposed schedule contemplates an unusually lengthy period between the filing of the Administrative Record and the commencement of summary judgment briefing. However, here the Administrative Record is likely to include tens of thousands of pages of material, and this is a reasonable time period for the Parties to read and incorporate the contents of the Administrative Record into their summary judgment arguments. In the event that there is a disagreement over the adequacy of the record that the Parties cannot resolve, they will endeavor to bring it to the Court's attention in time to minimize any disruption to the agreed-upon schedule.

DATED: September 13, 2022

Respectfully submitted,

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Director, Federal Programs Branch

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Assistant Director, Federal Programs Branch

/s/ Daniel Riess

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